



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JRS/GK/DAS

*271 Cadman Plaza East  
Brooklyn, New York 11201*

August 1, 2023

By ECF and Email

The Honorable Eric R. Komitee  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Carlos Watson and Ozy Media, Inc.  
Criminal Docket No. 23-82 (EK)

Dear Judge Komitee:

The government respectfully submits this letter in advance of the August 2, 2023 status conference to provide the Court with a report of the status of the case.

I. Rule 16 Discovery

The government has been producing Rule 16 discovery on a rolling basis. At this point, the government has produced substantially all Rule 16 discovery currently in its possession, including over 1 million documents, with the largest exception being the data from the devices seized from the defendant Carlos Watson at the time of his arrest. The government intends to produce the data from those devices shortly in connection with its filter review process, discussed below. Because the government's investigation is ongoing, the government is continuing to gather additional materials, which it has been producing and will continue to produce on a rolling basis.

II. The Filter Review Process

The government has conferred with the defendants and worked with the government's filter team to identify potentially privileged communications in the Rule 16 material and on Watson's seized devices.

In particular, on June 14, 2023, the filter team produced potentially privileged materials to the defendants to allow them to assert a claim of privilege as to any of those materials by August 25, 2023. See ECF Dkt. No. 72. As of yet, the defendants have not asserted a claim of privilege over any of these materials. The filter team intends to release to the prosecution team materials from this production over which the defendants have not asserted a claim of privilege by August 25, 2023.

Further, on July 11, 2023, the government produced to the defendants the contacts from Watson's phones and asked the defendants to identify any contacts with whom there may be privileged communications by July 25, 2023. See ECF Dkt. No. 75. The defendants did not assert a claim of privilege as to communications with any of the contacts.

The government understands that the filter team will soon be making a production of potentially privileged materials from Watson's devices to the defendants so that the defendants can assert claim of privileges if they so choose. At that time, the filter team will also produce full copies of the two Watson phones to the defendants.<sup>1</sup>

III. The Defendants' Request for a Bill of Particulars

On July 18, 2023, the defendants filed a letter to the government requesting a bill of particulars. See ECF Dkt. No. 78. The government responded on August 1, 2023, providing certain of the information requested by the defendants. See ECF Dkt. No. 82. To the extent the defendants intend to litigate this issue further, the government requests that the Court set a briefing schedule. Cf. Fed. R. Crim. P. 7(f) (stating that motions for bills of particulars are normally due within 14 days of arraignment).

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The government thanks the Court for its attention to these matters and will endeavor to be prepared to address any other issues raised at the August 2, 2023 status conference.

Respectfully submitted,

BREON PEACE  
United States Attorney

By: /s/  
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cc: Clerk of the Court (via ECF)  
All Counsel of Record (via ECF)

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<sup>1</sup> The government has not yet been able to bypass the encryption for Watson's laptop and therefore cannot yet produce a copy of the data from that device.